REMARKS

This Application has been carefully reviewed in light of the Office Action mailed March 4, 2005. Claims 29-48 were pending in the Application. In the Office Action, Claims 29-48 were rejected. In order to expedite and advance the prosecution of the present Application, Applicants amend Claims 29, 36 and 42, and Applicants add new Claims 49-56. Thus, Claims 29-56 remain pending in the Application. Applicants respectfully request reconsideration and favorable action in this case.

In the Office Action, the following actions were taken or matters were raised:

SECTION 103 REJECTIONS

Claims 29-42 were rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,331858 issued to Fisher (hereinafter "*Fisher*") in view of Taylor, "JavaScript Image Rollovers", 4 December 1996 (hereinafter "*Taylor*"). Applicants respectfully traverse this rejection.

Of the rejected claims, Claims 29, 36 and 42 are independent. Applicants respectfully submit that independent Claims 29, 36 and 42, as amended, are patentable over the cited references. For example, independent Claim 29, as amended, recites "a presentation module adapted to provide a real-time preview representation of the consumer item updated with the option in response to a user clicklessly positioning a cursor over an icon corresponding to the option" where the presentation module is adapted to "indicate to the user unavailability of at least one other option associated with the consumer item based on the update to the consumer item." *Fisher* appears to disclose a system for displaying two web page frames where one of the web page frames illustrates a 3-dimensional display (e.g., an interior room) and the other web page frame contains a display of 2-dimensional finish samples (e.g., samples or swatches of fabrics) which are available for products or objects displayed in the first web page frame (*Fisher*, column 3, lines 35-45, column 4, lines 17-22, figures 3 and 5). *Fisher* also appears to disclose that "[m]arker icons are displayed beside each sample" and that "[t]he marker icons identify objects in the 3D scene" (*Fisher*, column 4, lines 24-26, figures 3 and 5). *Fisher* also appears to disclose that "[t]he user can select the fabric to be applied, for example to the chair, by clicking on the chair marker beside the fabric sample (*Fisher*, column 4, lines

30-32, figures 2-4). *Fisher* does not appear to disclose or even suggest "indicat[ing] to the user unavailability of at least one other option associated with the consumer item based on the update to the consumer item" as recited by amended Claim 29. To the contrary, *Fisher* appears to be limited to providing only a single option (i.e., the fabric to be applied to the chair or curtain of *Fisher*) and, therefore, *Fisher* does not disclose or even suggest any other option depending on a selection of such fabric. Further, *Taylor* does not remedy at least this deficiency of *Fisher*. Accordingly, for at least this reason, Claim 29, as amended, is patentable over the cited references.

Independent Claim 36, as amended, recites "providing a real-time preview representation of the consumer item updated with the option in response to a user clicklessly positioning a cursor over an icon corresponding to the option" and "indicating to the user unavailability of at least one other option associated with the consumer item based on the update to the consumer item" (emphasis added), and independent Claim 42, as amended, recites "means for providing a real-time preview representation of the consumer item updated with the option in response to a user clicklessly positioning a cursor over an icon corresponding to the option" and "means for indicating to the user unavailability of at least one other option associated with the consumer item based on the update to the consumer item" (emphasis added). At least for the reasons discussed above in connection with independent Claim 29, Applicants respectfully submit that independent Claims 36 and 42, as amended, are patentable over the cited references.

Claims 30-35, 37-41 and 43-48 depend respectively from independent Claims 29, 36 and 42. As discussed above, independent Claims 29, 36 and 42 are patentable over the cited references. Therefore, Claims 30-35, 37-41 and 43-48 that depend respectively therefrom are also patentable. Accordingly, Applicants respectfully request that the rejection of Claims 30-35, 37-41 and 43-48 be withdrawn.

NEW CLAIMS

Applicants add new Claims 49-56. New Claims 50-56 depend from new independent Claim 49. For at least the reasons discussed above, independent Claim 49 is patentable over the cited references and, therefore, is in condition for allowance. Thus, Claims 50-56 that

depend from independent Claim 49 are also allowable. Therefore, Applicants respectfully request allowance of new Claims 49-56.

FINALITY OF SUBSEQUENT OFFICE ACTION

Applicants respectfully note that any subsequent office action based on this Response should be non-final. For example, Applicants respectfully observe that the amendments made to Claims 29, 36 and 42, and new Claims 49-56, cannot be considered new matter necessitating a new grounds for rejection at least because the subject matter of such amendments and new claims should have been fully searched in previous office actions. For example, originally-filed Claim 14 recited "wherein the options are divided into categories," and originally-filed Claim 24 recited "wherein the graphical selection of options depends partially on previously selected options." Thus, Applicants respectfully submit that the subject matter of the amendments made to Claims 29, 36 and 42, and new Claims 49-56, is not new matter.
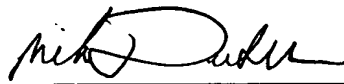

Further, Applicants respectfully point out to the Examiner that with respect to the subject matter of the amendments made to Claims 29, 36 and 42, and new Claims 49-56, the Examiner has previously relied on U.S. Patent No. 6,052,669 issued to Smith et al. (hereinafter *"Smith"*) as disclosing the limitations of such claims (see the Office Action mailed January 29, 2002, citing U.S. Patent No. 6,052,669 issued to Smith et al. (hereinafter *"Smith"*) with respect to originally-filed Claims 14 and 24). Column 9, lines 58-64, of *Smith* recite: "The system only allows a user to select valid attributes for each particular component." Applicants respectfully submit that such disclosure of *Smith* does not correspond to "indicating to the user unavailability of at least one other option associated with the consumer item based on the update to the consumer item" as generally recited by amended Claims 29, 36 and 42, and new Claim 49 (emphasis added), at least because only showing a user valid options is not the same as indicating to the user the options that are unavailable based on a selected option. Accordingly, Applicants respectfully submit that Claims 29-56 are patentable over the cited references, and Applicant respectfully requests that any subsequent office action be made non-final.

CONCLUSION

Applicants have made an earnest attempt to place this case in condition for immediate allowance. For the foregoing reasons and for other reasons clearly apparent, Applicants respectfully request reconsideration and full allowance of all pending claims.

With the presentation of new Claims 49-56, an excess independent claim fee of $200.00 pursuant to 37 C.F.R. § 1.16(b) is believed due. The Commissioner is hereby authorized to charge $200.00 to Deposit Account No. 08-2025 of Hewlett-Packard Company to cover the excess claim fees. If, however, Applicant has miscalculated the fee due with this Response, the Commissioner is hereby authorized to charge any fees or credit any overpayment associated with this Response to Deposit Account No. 08-2025 of Hewlett-Packard Company.

Respectfully submitted,

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